

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MARK ROSE,

Plaintiff,

V.

**INNOVIS DATA
SOLUTIONS, INC.,**

Defendant.

))))))))

Case No.: _____

**Removed from the Circuit Court
of Jefferson County, Alabama
01-CV-2025-900239.00**

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1332, 1441 and 1446, Defendant Innovis Data Solutions, Inc. (“Innovis”) hereby removes the above-captioned litigation to the United States District Court for the Northern District of Alabama. As grounds for removal, Innovis states as follows:

I. THIS COURT HAS REMOVAL JURISDICTION.

1. This litigation involves Plaintiff Mark Rose’s Complaint against Defendant Innovis. (Doc. 2 of Ex. A).
2. Plaintiff filed the Complaint in the Circuit Court of Jefferson County, Alabama at Case No. 01-CV-2025-900239.00. *Id.*
3. A defendant who has been sued in a state court may remove a “civil action ... of which the district courts of the United States have original jurisdiction

... to the district court of the United States for the district and division embracing the place where such action is pending.” 28 U.S.C. § 1441(a).

4. This Court’s “original jurisdiction” includes “civil actions arising under the Constitution, laws, or treaties of the United States.” *See* 28 U.S.C. § 1331.

5. Plaintiff’s Complaint pleads claims which arise under a “law[] ... of the United States,” namely the Fair Credit Reporting Act (“FCRA”), 15 U.S.C. § 1681 *et seq.* (Doc. 2 of Ex. A at ¶ 1, alleging Innovis violated the FCRA).

6. Because Plaintiff’s claims arise under federal law, the Complaint presents a federal question under 28 U.S.C. § 1331 and falls within this Court’s original jurisdiction under 28 U.S.C. § 1441(a).

7. Because Jefferson County, Alabama is within this Court’s judicial district, this Court “embrac[es] the place where [this] action is pending” and has removal jurisdiction under 28 U.S.C. § 1441(a).

II. THIS NOTICE OF REMOVAL IS TIMELY.

8. Each defendant must remove litigation to federal court “within 30 days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based.” 28 U.S.C. § 1446(b).

9. Plaintiff served the Complaint on Innovis’s registered agent, which received it on January 24, 2025.

10. Because Innovis is filing this Notice of Removal within 30 days from the date on which it received a copy of Plaintiff's Complaint (*i.e.*, on or before February 23, 2025), the Notice of Removal is timely.

III. THIS NOTICE OF REMOVAL IS PROPER.

11. In accordance with 28 U.S.C. § 1446(a), Innovis attaches hereto as Exhibit A, a true and correct copy of "all process, pleadings, and orders served upon" Innovis in this litigation.

12. Pursuant to 28 U.S.C. § 1446(d), the undersigned certifies that after the filing of this Notice of Removal in this Court, a Notice of Filing of Removal will be filed in the Circuit Court of Jefferson County and served on all parties.

WHEREFORE, Defendant Innovis gives notice that the above-captioned litigation has been removed from the Circuit Court of Jefferson County to the United States District Court for the Northern District of Alabama.

Respectfully submitted,

/s/ Michelle L. Crunk

Stephen E. Whitehead (ASB-2282-T68S)

Michelle L. Crunk (ASB-2967-i71C)

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CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of February 2025, I caused the foregoing document to be served upon the below parties via U.S. Mail and email:

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/s/ Michelle L. Crunk

Of Counsel